

**FAX RECEIVED**

DEC 05 2007

**OFFICE OF PETITIONS**Docket No.: 59484 (49357)  
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re Patent Application of:  
MACKAY al.

Allowed: October 17, 2007

Application No.: 10/824,042

Confirmation No.: 6001

Filed: April 14, 2004

Art Unit: 2162

For: SYSTEM AND METHOD FOR  
CONTROLLING THE RELEASE OF  
UPDATES TO A DATABASE  
CONFIGURATION

Examiner: MYINT, Dennis Y.

**PETITION TO WITHDRAW APPLICATION FROM  
ISSUE PURSUANT TO 37 CFR 1.313(c)(2)**MS OFFICE OF PETITIONS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Petitioner hereby petitions the Commissioner to withdraw the above-identified application from issue. The Issue Fee in this application was timely paid on November 1, 2007. However, informal drawings not suitable for publication are in this application. Such drawings are a specific and significant defect that merits withdrawing the subject application from issuance so that the figures can be corrected.

Please charge our Deposit Account No. 04-1105 in the amount of \$130.00 covering the fee set forth in 37 CFR 1.17(h).

Petitioner respectfully petitions that the above-identified application be withdrawn from issue in order to permit consideration of a submission under 37 CFR 1.114 (Request for Continued Examination with Submission of Formal Drawings) a copy of which is enclosed.

12/06/2007 CKHLOK 00000008 041105 10824042

01 FC:1464 130.00 DA

PRV 922971.1

Application No.: 10/824,042

2

Docket No.: 59484 (49357)

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 59484 (49357). A duplicate copy of this paper is enclosed.

Dated: December 5, 2007

Respectfully submitted,

By George Chaclos

George N. Chaclos

Registration No.: 46,608

EDWARDS ANGELL PALMER & DODGE  
LLP

P.O. Box 55874

Boston, Massachusetts 02205

(617) 439-4444

Attorneys/Agents For Applicant

PRV 922971.1

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**FAX TRANSMISSION****OFFICE OF PETITIONS****DATE:** December 5, 2007**PTO IDENTIFIER:** Application Number 10/824,042-Conf. #6001  
Patent Number**Inventor:** Bryan G. Mackay et al.**MESSAGE TO:** US Patent and Trademark Office - Office of Petitions**FAX NUMBER:** (571) 273-~~no 25~~**FROM:** EDWARDS ANGELL PALMER & DODGE LLP  
George N. Chaclos**PHONE:** (401) 276-6653**Attorney Dkt. #:** 59484(49357)**PAGES (Including Cover Sheet):** 22**CONTENTS:**

Transmittal (1 page)
Fee Transmittal (1 page)
Petition to Withdraw App. from Issue Pursuant to 37 CFR 1.313(c)(2) (2 pages)
Request for Continued Examination (2 page2)
Submission of Formal Drawings (14 pages)
Certificate of Transmission (1 page)

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (401) 276-6653 and send the original transmission to us by return mail at the address below.

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P.O. Box 55874, Boston, Massachusetts 02205  
**Telephone:** (617) 239-0100 **Facsimile:** (617) 227-4420

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**OFFICE OF PETITIONS**

Approved for use through 10/31/2007, OMB 0651 0031  
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
 Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/824,042-Conf. #6001	
	Filing Date	April 14, 2004	
	First Named Inventor	Bryan G. Mackay	
	Art Unit	2162	
	Examiner Name	D. Y. Myint	
Total Number of Pages in This Submission	21	Attorney Docket Number	59484(49357)

<b>ENCLOSURES (Check all that apply)</b>		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Petition to Withdraw App. from Issue Pursuant to 37 CFR 1.313 (c)(2); Request for Continued Examination; Submission of Formal Drawings; Fee Transmittal; and Cert. Of Transmission
Remarks		

<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>			
Firm Name	EDWARDS ANGELL PALMER & DODGE LLP		
Signature	<i>George Chaclos</i>		
Printed name	George N. Chaclos		
Date	December 5, 2007	Reg. No.	46,608

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OFFICE OF PETITIONS

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Approved for use by the U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE, PTO/USPTO (10-07)

Effective on 12/08/2004, Four pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

## FEE TRANSMITTAL

### For FY 2008

☐ Applicant claims small entity status. See 37 CFR 1.27

<b>TOTAL AMOUNT OF PAYMENT</b>		(\$)		940.00	
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<b>Complete if Known</b>	
Application Number	10/824,042-Conf. #6001
Filing Date	April 14, 2004
First Named Inventor	Bryan G. Mackay
Examiner Name	D. Y. Myint
Art Unit	2162
Attorney Docket No.	59484(49357)

**METHOD OF PAYMENT** (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify) \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 04-1105 Deposit Account Name: Edwards Angell Palmer & Dodge

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

### FEE CALCULATION

#### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	310	155	510	255	210	105	
Design	210	105	100	50	130	65	
Plant	210	105	310	155	160	80	
Reissue	310	155	510	255	620	310	
Provisional	210	105	0	0	0	0	

#### 2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	210	105
Multiple dependent claims	370	185

**Total Claims** 29 - 32 = 0 **Extra Claims** 0 **Fee (\$)** 0 **Fee Paid (\$)** 0

Hi = highest number of total claims paid for, if greater than 20.

**Indep. Claims** 0 - 3 = 0 **Extra Claims** 0 **Fee (\$)** 0 **Fee Paid (\$)** 0

Hi = highest number of independent claims paid for, if greater than 3.

#### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$260 (\$130 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
<u>29</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

#### 4. OTHER FEE(S)

Description	Fee (\$)	Fee Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)		
Other (e.g., late filing surcharge): 1801 Request for Continued Examination	810.00	
1464 Petition Fee per 37 CFR 1.17(h)	130.00	

**SUBMITTED BY**

Signature: <u>George Chachas</u>	Registration No. (Attorney/Agent): <u>46,608</u>	Telephone: <u>(401) 276-6653</u>
Name (Print/Type): <u>George N. Chachas</u>		Date: <u>December 5, 2007</u>